

SPECIAL MEETING – TUESDAY, FEBRUARY 24, 2009

CITY HALL – 500 CASTRO STREET

5:00 P.M.—STUDY SESSION

7:00 P.M.—REGULAR SESSION

CLOSED SESSION IMMEDIATELY FOLLOWING THE REGULAR SESSION

5:00 P.M.—STUDY SESSION (HELD IN THE PLAZA CONFERENCE ROOM)

1. CALL TO ORDER

The meeting was called to order at 7:20 p.m. with Mayor Abe-Koga presiding.

2. ROLL CALL

PRESENT: Councilmembers Inks, Kasperzak, Macias, Means, Siegel,
Vice Mayor Bryant and Mayor Abe-Koga.

ABSENT: None.

3. STUDY SESSION

**3.1 ENERGY EFFICIENCY IMPROVEMENT FINANCING AVAILABLE
UNDER AB 811**

The Public Works Director introduced the Senior Administrative Analyst. The Senior Administrative Analyst explained that this Study Session is being held for the purpose of discussing legislation that expands the authority of the Streets and Highways Code to include financing for renewable energy and energy-efficiency improvements. AB 811 provides cities and counties with the opportunity to work with property owners to provide assistance in avoiding upfront costs by using long-term financing through an assessment on their property tax bills.

If Council is interested in pursuing this opportunity, staff welcomes direction regarding creation of a capital improvement project for Fiscal Year 2009-10 to retain technical assistance, to develop a financing strategy and to assist in establishing a benefit assessment district as provided by AB 811. City funding will be necessary for seed money to establish the district.

One Councilmember wondered if Mountain View could share technical consultants with other cities who are interested in adopting this program, and it would save a great deal of money.

In response to a Councilmember's question about administrative expenses, the Senior Administrative Analyst stated that he will obtain that information and bring it back to the Council.

The public input period was opened.

Bruce Karney, Mountain View, explained that neither Berkeley nor Palm Desert, cities that are already participating in this program, use credit scores to determine eligibility for AB 811 financing. Their interest rates are 6.7 percent in Berkeley and 7 percent in Palm Desert. This program in those two cities allows all homeowners, including those with low credit scores and little home equity, to obtain loans for solar or other energy-efficient improvements. This program is only available for residential and commercial owners that pay property taxes. It cannot be used by nonprofits, governments or schools. The City of Berkeley's residential conservation ordinance requires that residential properties for sale need to be brought up to a minimum level of energy efficiency as determined by physical inspection. If the City Council decides to craft an ordinance, Mr. Karney recommends that it would include a program to ensure that funding is not given to homes that are energy-inefficient.

In response to a Council question, Mr. Karney confirmed that there is a commercial equivalent (for example, Solar Leaf and SunRun Homes) and, as a commercial entity, they have a depreciation tax benefit. As owners of solar systems, that benefit generates a flow of money unavailable under the AB 811 program.

A member of the Environmental Sustainability Task Force expressed the view that the program may be attractive to homeowners who do not intend to stay in their homes for more than several years. Since the agreement goes with the house, they will not have to pay off the loan prior to selling the property.

Seeing no other speakers, the public input period was closed.

A Councilmember recommended a maximum property exposure amount limit, with payments tied to the savings gained through the program. He believes that the City's contribution should be financially neutral, with only viable borrowers accepted into the program. The funding may be generated from General Fund reserves. The Public Works Director added that the funding could also come from banks or other sources. The Councilmember

concluded his comments, stating that he would like to see depreciation as part of the agreement.

One of the other Councilmembers believes that the program is worth pursuing. He stressed joining forces with other cities to utilize the same consultants. He also recommended looking at partnering with a financial institution, particularly since these loans receive tax preference. He would like to see limitations on the amount lent at a level that assures that the City's administrative costs would not exceed the amount of the loan.

Another Councilmember stated that although many people would like to increase their home energy efficiency, many cannot afford to pay for it up front and would probably find it more affordable to pay for the upgrades over time through this program. She would like the Council to go forward with establishing the AB 811 benefit assessment district.

A Councilmember endorsed the program but disagreed with the idea of establishing a limited loan amount. If a property owner of a small home also requires a modest loan for energy-efficient improvements, they should not be denied. She believes the goal of the program is to make energy-efficient upgrades available to all residents, including owners of rental units and small businesses.

A Councilmember asked why someone would choose to approach the City for an energy loan when the private capital markets offer lower interest rates and perhaps better terms or a line of credit to responsible homeowners. He sees the main incentive to use the City's program is based on the loan appearing as part of the property taxes, making payments a high priority. He does not feel there is much of a gain that cannot be handled by private lenders.

There was Council consensus to pursue the "next steps" detailed on Page 2 of the staff report for this item.

3.2 RENEWABLE ENERGY GENERATION OPTIONS UNDER AB 2466 (CHAPTER 7.5, COMMENCING WITH SECTION 2830, PART 2, DIVISION 1, OF THE PUBLIC UTILITIES CODE)

The Public Works Director introduced Stanford University graduate and Public Works Department Intern Olivia Puerta.

The Public Works Intern began her presentation, stating that renewable energy generation options were recently passed under AB 2466 with the intent of increasing the financial viability of renewable energy projects for

local governments. The new law allows local governments to offset energy costs at one or more sites by producing renewable energy at another site. Previously, energy costs could only be offset by renewable energy produced at the same site as energy consumption. By allowing local governments to offset energy costs at one or more sites with renewable energy at a different site, AB 2466 broadens local governments' potential to produce renewable energy.

Following Council questions, the public input period was opened.

Bruce Karney, Mountain View, explained his thoughts on the opportunity created by AB 2466. He recommended that the City explore the option of using a power purchase agreement (PPA) to facilitate renewable energy projects.

Seeing no one else wishing to speak, the public input period was closed.

A Councilmember stated it is clear that the City will have to examine many different power sources. She does not want to look at the meadow at the intersection of El Camino Real and California Highway 85 but feels that the City's parking lots would be prime candidates for renewable energy generation. She asked whether the City could use the Shoreline Community Fund locally or put some solar panels in City Hall or at various parking lots.

Another Councilmember indicated that clearly the best reason to do this is to reduce greenhouse effects, but he really does not want to spend the City's money just to show that Mountain View can be the first agency to do this. He mentioned concerns about the type of legal battles that may be incurred.

Another Councilmember asked that, in view of all capital projects, does the City really want to go into the power business, other than for the environmental benefits? As far as the meadow area goes, that is PG&E. They have a lot more experience delivering power than the City does.

Another Councilmember indicated he does not have a sense of what the feasibility is, but by looking at that and at the City's utility bills, they could estimate whether it would be worth the financial investment. The Councilmember said that it may be worth the \$100,000 investment for a study, but he added that he would like to see some examples of anticipated energy savings first.

Another Councilmember concluded that the City has been waiting for the opportunity to use renewable energy since the 1970s and that there is no point in waiting any longer.

One Councilmember stated that he does not know at this point what he thinks about an energy farm as opposed to smaller projects and urged the City to do the legwork now in order to resolve the issue. Another Councilmember concurred.

There was Council consensus (6-1; Inks no) to move forward with the "next steps" outlined on Page 3 of the staff report for this item.

3.3 COUNCIL ENVIRONMENTAL SUSTAINABILITY COMMITTEE (CESC) REPORT

The Public Works Director advised that the goal of this Study Session is to set forth the environmental sustainability actions that the City will pursue in the remainder of this fiscal year and next fiscal year, with the overarching objective of ultimately having sustainability inculcated into the City's everyday decisions and not considered as a "separate" item.

The Environmental Sustainability Coordinator indicated that in September 2008, the Environmental Sustainability Task Force presented the Council with 89 recommendations. Subsequently, three Councilmembers were appointed to a Council Environmental Sustainability Committee, with Jac Siegel as Chair and Margaret Abe-Koga and Ronit Bryant as members. The Environmental Sustainability Coordinator then presented the Committee's Action Plan, a road map to guide the City's sustainability practices. This plan is the first version and will be regularly updated to address other Task Force recommendations, other City initiatives and regulatory requirements. The Action Plan will assist the City in meeting its AB 32 greenhouse gas reduction requirements. It will benefit the community and environment through access to adequate water supplies; location of clean, renewable energy locally; improved air quality; reduced resources for waste handling; operational savings through increased efficiency; and by acting responsibly for the benefit of future generations.

Replying to a Council question, the Environmental Sustainability Coordinator responded that as part of AB 32, an inventory is currently being conducted on greenhouse gas emissions based on a 2005 baseline.

Replying to a Councilmember, the Environmental Sustainability Coordinator advised that Public Services staff is starting a program with businesses directly, meeting with them one-on-one to discuss their water usage and talk about conservation. Also, staff recently met with the Central Business Association to discuss water conservation for restaurants. The same

Councilmember asked if it would be possible for staff to compile a list of specific things that will be happening within the next 12 months.

In answer to another Council question, the Environmental Sustainability Coordinator indicated that the 23 proposed actions over the next year and a half are focused on quick payback, energy-efficiency actions and longer-term, bigger greenhouse gas reduction initiatives.

The public input period was opened.

Bruce Karney, Mountain View, presented two handouts. One is an analysis of the Task Force's initial goals, broken down by amount of reduction of greenhouse gases. He believes that public outreach early on is critical. The second handout contrasts this plan with those that are going forward under the Action Plan. He feels that some good opportunities in the energy sector, such as promoting solar hot water and PG&E's Climate Smart program, which would both offset greenhouse gas emissions, have been overlooked.

Aileen La Bouff, Mountain View, indicated that formation of a citizens environmental action group to help achieve community-wide greenhouse gas reductions is proceeding. A letter from the group, requesting \$10,000 of City funding as seed money to get started, was included in the Council packet.

Bruce England, Mountain View, discussed the benefits of the citizens group filing as a nonprofit group. He also reminded the Council that the Task Force created a partial pedestrian master plan, which has been provided to the Transportation and Policy Manager.

Another male speaker explained that in these difficult economic times, there is an urgency to work against the damage that has been done to the environment.

Tamara Colby, Mountain View, stated support for programs such as weatherization, solar water heating and a more walkable City.

Seeing no other speakers, the public input period was closed.

A Councilmember, who is also Chair of the Council Environmental Sustainability Committee, pointed out that despite the Task Force's hard work, they are not there yet. They want to get the LEED building issue settled with the County, the \$10,000 in funding for the citizen environmental group (the value received from these funds is just tremendous) and put everything together so that Council can vote on it.

Another Councilmember also stressed the need for information pursuant to LEED Silver building practices as well as the other issues addressed by the previous speaker. She emphasized that Council needs to look at this again really soon.

Another Councilmember agreed and added that he wants assurance that the City is on target with the legal requirements of AB 32.

One Councilmember noted that staff is aware that Council wants the information needed to resolve the "LEED Silver for public buildings" issue. She advised that if there is any other information the other Councilmembers require, they need to be sure to tell staff so that it is available for the next Council meeting, when a vote is taken on the items in the plan.

The City Manager indicated that it appears the Action Plan needs to come back to a Council meeting for a decision and asked that if there are any additional questions about it, either tonight or subsequently, staff will respond. Clearly, Council wants to engage the LEED certification issue, and staff has information on that tonight, but there is just not time to discuss it right now. Staff can put all the information together and bring it back to Council for determination at a future meeting. He added that the appropriation for funding the citizen environmental group will also come back to Council at that time.

A Councilmember expressed her desire to put focus on resident outreach programs, and it needs to be funded. She asked if there is a preference for the new environmental action group to be a citizens group or a City committee, and another Councilmember responded that the group has already indicated they want to be separate from the City.

No formal action was taken.

7:00 P.M.—REGULAR SESSION (HELD IN THE COUNCIL CHAMBERS)

1. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Boy Scout Troop 103.

2. PRESENTATIONS

2.1 League of American Bicyclists Award Honoring the City as a "Bicycle-Friendly Community"—Presented by the Bicycle/Pedestrian Advisory Committee

Leslie Train, Committee Chair, presented the award to the Mayor, following brief statements from Jerri-Ann Meyer, Committee Member; and Bryan Malone, Committee Vice Chair. New member Lauren Angelo was also present.

3. MINUTES APPROVAL

Motion: M/S Bryant/Kasperzak—Carried 7-0—Approve the Minutes for the City Council Special Meetings of December 9, 2008 and January 10, 2009.

4. CONSENT CALENDAR

Motion: M/S Kasperzak/Bryant—Carried 7-0—Approve.

4.1 STEVENS CREEK TRAIL: SLEEPER AVENUE NEIGHBORHOOD ACCESS POINT TO DALE AVENUE/HEATHERSTONE WAY, PROJECT 07-35—AWARD OF AGREEMENT—Authorize the City Manager to execute a professional services agreement with David J. Powers & Associates, Inc., Environmental Planning Consultants of San Jose, for Stevens Creek Trail: Sleeper Avenue Neighborhood Access Point to Dale Avenue/Heatherstone Way, Project 07-35.

4.2 Resolution No. 17385—ESTABLISH A FEDERAL ECONOMIC STIMULUS TRANSPORTATION PROJECT

1. Authorize filing an application for Federal American Recovery and Reinvestment Act of 2009 (ARRA) funding and adopt A RESOLUTION OF LOCAL SUPPORT AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 (ARRA) FUNDING, to be read in title only, further reading waived.
2. Adopt a midyear capital improvement project titled "Pavement Resurfacing of Arterial and Collector Streets—Federal Economic Stimulus"; transfer and appropriate \$130,000 of CIP Reserve funds from 2008-09 Annual Street Resurfacing, Project 09-01, to the new project; and appropriate \$820,800 from Federal ARRA funds for the new project with the final Federal award amount to Mountain View to be accepted for project expenditure.

**4.3 PALO ALTO REGIONAL WATER QUALITY CONTROL PLANT—
AUTHORIZE ULTRAVIOLET DISINFECTION SYSTEM CONSTRUCTION—**

Authorize the City Manager or his designee to execute Addendum No. 7 to the basic agreement between the Cities of Palo Alto, Mountain View and Los Altos, authorizing construction of an ultraviolet (UV) disinfection system at the Regional Water Quality Control Plant (RWQCP) in Palo Alto.

**4.4 INTERAGENCY AGREEMENT WITH DELTA DIABLO SANITATION
DISTRICT TO PURSUE FEDERAL FUNDING FOR THE RECYCLED WATER
PROJECT—**

Authorize the City Manager or his designee to amend a cost-share interagency agreement with the Delta Diablo Sanitation District to secure Federal funding for Mountain View/Palo Alto Recycled Water System Construction, Project 05-39.

**4.5 AMENDMENT NO. 3 TO COUNTY-WIDE HOUSEHOLD HAZARDOUS
WASTE COLLECTION PROGRAM AGREEMENT—**

Authorize the City Manager or his designee to execute Amendment No. 3 to the Agency Agreement for County-Wide Household Hazardous Waste (HHW) Collection Program with the County of Santa Clara.

**4.6 APPOINTMENT TO DOWNTOWN COMMITTEE—BUSINESS-AT-LARGE
CATEGORY—**

Appoint Oscar Garcia to the Downtown Committee—Business-At-Large category for the unexpired term ending December 31, 2010.

4.7 FISCAL YEAR 2008-09 MIDYEAR BUDGET STATUS REPORT—

Acknowledge and file the Fiscal Year 2008-09 Midyear Budget Status Report and six-month status of the Fiscal Year 2008-09 Performance/Workload Measures (Attachment 1 to the staff report).

5. PUBLIC HEARINGS—None.

**6. ORAL COMMUNICATIONS FROM THE PUBLIC ON NONAGENDIZED
ITEMS**

Kimberly Ferm, representing the United Way Silicon Valley 2-1-1 Santa Clara County Program, provided a status report on the 2-1-1 program in the County. She emphasized that particularly during these difficult financial times, it is critical that people are aware that professional, caring assistance is always available, 24 hours a day in over 140 languages, by calling United Way's 211 phone number.

Lucia Medina, Director of the YMCA Mountain View Child Development Center, expressed her consternation about the imminent closure of the Center as of June 30, 2009 after 21 years in its current Mountain View location. Their lease is not being renewed, and the search for a new site has not been fruitful, leaving

110 low-income families without child care and another 500 children on their waiting list. She asked for help in finding a new site for the Center in the City of Mountain View.

Fernanda Brant, parent, and Elisa Valencia, teacher at the Center, also spoke in support of retaining this critical full-time child development program in the City.

7. NEW BUSINESS

7.1 HIGH-SPEED RAIL ENVIRONMENTAL IMPACT SCOPING COMMENTS

The Public Works Director stated that the cities along the Peninsula are beginning a fairly long process of engagement on a community and regional level to design a high-speed rail corridor through the Peninsula cities. This evening, the objective is to request the Council to review the City's comments on the scope of the Environmental Impact Report. Staff is also asking authorization by Council for the Mayor to sign a joint-cities letter to the California High-Speed Rail Authority (CHSRA) and to authorize a contract for urban design and engineering services to supplement City resources.

The Assistant Public Works Director explained the proposed route for the high-speed rail system. He recommended that the City act independently, preserving its own interest, while participating with other involved cities as the Council deems appropriate.

A Councilmember indicated the visioning process made it clear that residents want to connect, not divide, the City and also endorsed the idea of working in partnership with other Peninsula cities and continue to coordinate with the CHSRA on a technical and political level. She noted that good urban design is crucial in keeping the City amenable to pedestrians and cyclists.

Dominic Spaethling, California High-Speed Rail Authority Regional Manager, pointed out that the CHSRA will meet quarterly with cities along the corridor to work on alternatives, beginning by meeting to go over other cities' comments in the scoping process. Over the next two to three years, the CHSRA intends to retain regular individual contact with every city and county involved with the project.

One Councilmember asked about the impact of eminent domain on the City. Mr. Spaethling responded that he has asked the High-Speed Rail Authority to define that policy and he will provide staff with the information when he obtains it.

Another Councilmember noted that eminent domain enabling legislation may authorize the Authority to take or purchase what it needs. The best position may

be to collaborate with the agencies for double-tracking or common tracks. Mr. Spaethling agreed that the Caltrain Corridor was chosen for the excellent joint-track use opportunities that it offers. He stressed that a comment requesting the CHSRA evaluate a station in Mountain View needs to be submitted by the City as part of the scoping process if the City wishes that such an evaluation be done.

The same Councilmember stated his position that although some design work needs to be done individually, he feels that in many instances, one expert consultant could take the advocacy role for a number of cities, thereby saving both money and redundancy. The Public Works Director commented that some cities have already retained their own design teams. There has not yet been any discussion about joint consultants.

When another Councilmember questioned how grade separation at Rengstorff Avenue and Castro Street would be helpful to high-speed rail, the Assistant Public Works Director pointed out that grade separation is an essential requirement for high-speed rail to go forward. The Public Works Director added that grade separation at Rengstorff Avenue has been a longstanding City goal but which lacks funding. The high-speed rail project could provide the funding method.

A different Councilmember noted concern that the visualizations in staff's presentation were missing any reference to the way that they would integrate with the neighborhoods. The Assistant Public Works Director advised that urban design integration was not intended to be part of the Rengstorff Avenue grade separation feasibility study. The City's draft comments include a request that urban design considerations be made as part of the CHSRA's environmental process.

Responding to a Council inquiry, the Public Works Director indicated that one of the challenges of a Castro Street grade separation would be the impact on the integrity of downtown and potentially on businesses along the 100 block. Every possibility needs to be examined to assure protection of the area.

The public input period was opened.

John Carpenter, Mountain View, offered suggestions that he believed would enhance the project in the community, including opportunities for pedestrians and bicyclists.

Julie Lovins, Mountain View, noted that the agenda materials for this item included a suggestion of possibly making use of the Central Expressway right-of-way. She thinks that it presents a very interesting possibility for avoiding some of the encroachments south of the tracks.

Seeing no other speakers, the public input period was closed.

A Councilmember commented on potential urban impacts to the area and wondered how the General Plan needs to be coupled with absorbing the effects of high-speed rail.

One Councilmember stated that he agrees that the scoping comments prepared by staff are appropriate. From a transit-oriented position, he feels that the fact that Mountain View has one of the better transit systems in the area ought to be put into the mix. He is concerned about a method to grade-separate Castro Street and does not want to see an elevated "Great Wall" downtown and would like to explore the issue of using joint consultants among cities a bit more.

A Councilmember asked for a stronger statement against dividing the community. She indicated they need to state that the City is already built out. She proposed that Castro Street not be closed but acknowledged the decision is ultimately the purview of the Council. The City should also acknowledge that the purchase of any property has a significant impact. She stressed the need to submit the City's qualifications, highlighting its uniqueness, to the CHSRA, noting she wants the City to be proactive and to represent the desires and needs of its residents. She suggested sending out the City's own letter in addition to the joint letter. Finally, she commented that she does not believe the City has enough space to need a high-speed rail stop.

Another Councilmember agreed with the previous speaker that the Council needs to be adamant about what they want for the City and to express it in the City's letter.

A Councilmember suggested an alternative where the train itself could go down under, trenching would begin before it reaches Castro Street and the train would come up when it reaches Rengstorff Avenue. He supported sending the letter, but he would also like more information before determining what he likes or dislikes. He expressed confidence that Mountain View would offer the most strategic high-speed rail stop in the vicinity.

One of the other Councilmembers asked that the scoping comments be strengthened, reflecting the desire for unity in the City, as well as its values. She urged not mentioning options the City does not want. She mentioned she does not want to see Castro Street divided unless there is a pedestrian bridge. She feels the joint letter makes a powerful statement but should not preclude the City from writing a letter of its own. She did not agree with submitting the Rengstorff Avenue grade-separation to the CHSRA to be studied as a preferred alternative because in her experience, both in the U.S. and in Europe, grade separations create islands of asphalt and concrete and tend to destroy the whole area around it. She strongly recommended using top urban designers that seek a human solution, not an

engineering one. She also noted the importance for the City to have its own consultant to protect the interest of the community.

Another Councilmember agreed that the scoping comments need to be made stronger. She thinks all the options are worthy of study but perhaps they could be prioritized. She supported moving forward with signing the joint letter and also supported the idea of cities sharing certain consultants and asked if the Vice Mayor could present the idea at an upcoming meeting of the representatives of the cities involved. She favored including in the scoping comments consideration for Mountain View as a high-speed rail stop, particularly since the City already has a transit center.

Motion: M/S Siegel/Macias—Carried 6-1; Kasperzak no—Authorize urban design and engineering services contract for a specific consultant for Mountain View up to \$100,000.

Responding to a Councilmember's comment, the Public Works Director indicated that staff understands the Council's interest in strengthening the message in the letter to CHSRA. In addition, she asked for clarification on whether to include a request for consideration for Mountain View as a high-speed rail stop in the scoping comments and how the Council would like the Rengstorff Avenue intersection treated, whether to request an examination of all possible configurations or to limit the options to be studied.

A straw motion failed 3-3; Bryant, Macias, Siegel no; Inks abstained, to include in the scoping comments a request that a stop in Mountain View be studied.

The City Manager pointed out that Council does not have all the information needed to make a decision on Rengstorff Avenue to determine the best options and their impacts right now. Having something studied is not the equivalent of agreeing that it is acceptable. To eliminate anything at this point is limiting the options. He urged the Council not do so.

Following a brief discussion, on a straw vote of 4-3; Bryant, Macias, Siegel no, the Council approved to request that all possible configurations for Rengstorff Avenue be studied.

Motion: M/S Bryant/Means—Carried 5-1; Siegel no, Macias abstained—Authorize the Mayor to sign a joint letter to the California High-Speed Rail Authority from several Peninsula cities requesting the Authority coordinate urban design issues affecting their communities.

COUNCIL RECESSED FROM 9:20 P.M. TO 9:30 P.M.

7.2 ECONOMIC DEVELOPMENT STRATEGY AND ACTION PLAN

The Economic Development Manager presented a brief history of this item, noting that it was reviewed at a Study Session by the City Council in January. It is returning this evening for Council adoption. As has been discussed previously, some of the major challenges the City faces is its lack of developable land, fewer retail revenue-generating businesses in the current market and competition with other surrounding communities. Staff is trying to continue to promote Mountain View as a business-friendly community. If the plan is adopted, staff will report to the City Council on an annual basis the progress and accomplishments achieved.

The public input period was opened.

Julie Lovins, Mountain View, explained some of the steps she believes to be necessary for the City to implement its future environmental goals and bring revenue into the City. She specified as part of her short list of examples that the City should attract suppliers of nontoxic building materials to insulate, improve and build homes and businesses; service companies with expertise in designing, cleaning and maintaining green buildings or attract developers and dealers of alternate-fueled vehicles, including the availability of parts and repairs.

Seeing no other speakers, the public input period was closed.

A Councilmember suggested the City should consider the provision of incentives to businesses in the City that have point of sale in order to provide a better tax base. The Economic Development Manager responded that staff is continually looking for those companies that could provide a point of sale in Mountain View. He felt that to attract those kinds of businesses, the City may want to provide an incentive such as a tax rebate following Council approval of such an idea.

Another Councilmember stated that it would be helpful to be apprised of both economic development activities and results of the City's efforts when staff returns with its annual updates.

Motion: M/S Means/Siegel—Carried 7-0—Approve the five-year and one-year 2009-2010 Economic Development Strategy and Action Plan.

8. ITEMS INITIATED BY COUNCIL

8.1 NORTH CITIES VALLEY TRANSPORTATION AUTHORITY (VTA) BOARD MEMBER SELECTION PROPOSAL

The Mayor provided a brief background, noting that the VTA is always looking for ways to improve their government structure. Their initiative has been put on hold

and the City remains in the North County Cities group, which includes the City of Los Altos, Town of Los Altos Hills, City of Mountain View, City of Palo Alto, City of Santa Clara and City of Sunnyvale. At the end of this year, the new two-year term will begin. This year, rather than selecting members by a rotational method, the North County Cities group has chosen an election process.

In response to a Council concern, the Mayor explained the reasons why this change would most likely benefit the City by offering Mountain View a better opportunity to have a representative serving on the board more frequently.

Responding to a Councilmember's inquiry, the Mayor advised that the appointment will only have to be approved by the group and a majority of the group approved the proposal. The VTA Policy Advisory Committee members were asked to bring the proposal back to their respective city councils for approval.

The public period was opened, and seeing no one wishing to speak, the public input period was closed.

Motion: M/S Kasperzak/Inks—Carried 7-0—Approve the Santa Clara Valley Transportation Authority North Cities Board Member selection proposal.

9. COUNCIL, STAFF/COMMITTEE REPORTS

Vice Mayor Bryant announced that she has been reappointed to the Santa Clara County Cities Association Recycling and Waste Reduction Commission (RWRC) and appointed to the ABAG Hazardous Waste Management Facility Allocation Commission. She also asked the City Manager if there is any way that the City could assist the YMCA Child Development Center in their search for a new location in Mountain View. The City Manager advised that staff will assemble background information on the matter and will inform the Council about the situation.

Councilmember Macias conveyed a concern expressed by residents at the Council Neighborhoods Committee meeting that funding for neighborhoods may be cut. She mentioned that the City has reserves and a plan. She indicated it is important to instill a level of confidence in the City, to commissioners and committee members that the City does have the funds necessary to function and to fund necessary projects.

Councilmember Kasperzak announced that as part of his role on the League's Fiscal Reforms Task Force, he attended the California Constitution Convention Summit today in Sacramento hosted by the Bay Area Council. There was a great deal of discussion that the only way to effect significant policy change is through a constitutional convention.

10. **CLOSED SESSION (HELD IN THE PLAZA CONFERENCE ROOM)**

10.1 **CLOSED SESSION ANNOUNCEMENT (OPEN SESSION)**

At 10:16 p.m., the City Attorney announced that the Council would now recess to a Closed Session in the Plaza Conference Room. He also announced and described the items the Council would consider on the Closed Session agenda below.

- 10.2 **Conference with Real Property Negotiator (\$54956.8)**—Property: Centennial Plaza Train Depot "Ticket Office"—Agency Negotiator: City of Mountain View, Transportation and Policy Manager Joan Jenkins and Business and Internal Services Manager Linda Forsberg—Negotiating Parties: Jennifer Ayre—Under Negotiations: Lease, Price and Terms

The Closed Session concluded at 10:30 p.m. The Council reconvened in Open Session. There was no Closed Session report.


11. **ADJOURNMENT**

The Council adjourned at 10:31 p.m. The next Regular Council Meeting will be held on Tuesday, March 10, 2009, at 6:30 p.m. in the Council Chambers, 500 Castro Street.


11A. The Resolution enacted at this meeting is on file in the Office of the City Clerk.

ATTEST:

APPROVED:



ANGELITA M. SALVADOR
CITY CLERK



MARGARET ABE-KOGA
MAYOR

AMS/2/CLK/402-02-24-09mn^